IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 186 OF 2006
(For Condonation of Delay)
WITH
CRIMINAL APPLICATION NO. 1048 OF 2006
(For Leave to file appeal)
And
CRIMINAL APPLICATION NO. 410 OF 2006
(For Amendment)

Shri Vijay Rochlani ..Applicant

Vs.

Ms. Shaila Kartha and ors. ..Respondents

None for the applicant.
Mr. D.R. More, APP for State.

CORAM: B.H. MARLAPALLE, J.

Date : August 10, 2007.

P.C.:

. This is an application for condonation of delay in filing an application for Special Leave to Appeal under Section 378 (4) of Cr.P.C. and as per the office note the delay caused is of 572 days. The reasons furnished in support of prayer for condonation of delay do not impress me.

. Even otherwise, the process was issued in the year 1998 and the accused was remaining present on every day but the complainant did not remain present and did not show his willingness to enter the witness box and lead the evidence. The trial court observed that the documents filed along with the complaint could not prove the case that the document was forged and was tried to be shown as genuine. The case filed was for the offence punishable under Section 471 of IPC. Even when the case was fixed for recording the evidence before the charge, the complainant was absent. The accused no.1 came to be discharged on 1/6/2000. . The lethargic attitude of the complainant is writ large even before the trial court.

. Hence, the application is rejected.

. In view of the above Criminal Application Nos.410 of 2006 and 1048 of 2006 do not survive and the same shall stand disposed as such.

(B.H. Marlapalle,J.)